





department of Conservation

recreation



302 CMR 12.00





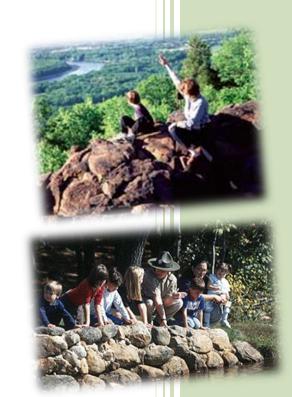
to protect, promote, and enhance
our common wealth of natural,
cultural, and recreational resources
for the well-being of all





### Presentation Overview

- Brief Context for Regulatory Reform
- Steps Taken Since Last Update
- Implications for Existing Regulations
- Key Changes to Draft Regulations
- New Provisions / Changes in Policy
- Next Steps









- Since 2003, DCR has operated under two different sets of parks and recreation regulations:
  - 350 CMR 2.00 and 350 CMR 12.00 (former MDC regulations)



304 CMR 12.00 (former DEM regulations)



Parks Unification – 2012







### Since the last presentation...

- October 4, 2013 at Dunn Pond State Park
- November/December 2013:
  - 5 State-Wide Public Hearings
  - 30-Day Public Comment Period
- Winter Spring 2014:
  - Review comment and input
  - Revise draft regulations
  - Commissioner review and approval
- Summer 2014:
  - EEA, ANF, & Gov's Office review and approval





### Implications for Existing Regs

- DCR's Parks and Recreation Regulations will now exist in <u>302 CMR 12.00</u>
- Promulgation of new regulations will:
  - Rescind 350 CMR 2.00 and 12.00
  - Rescind all general parks and recreation regulations in 304 CMR 12.00

(NOTE: traffic and parking-related regulations in 304 CMR 12.23 will remain in effect)







#### Possession of Firearms

- Draft regulations contained language that would have banned legal possession of firearms on properties where hunting is not allowed or would have required special or recreational use permit to possess a firearm.
- Language was inadvertent; meant to relate solely to hunting, not general lawful possession of firearms
- Final language removes reference to possession of firearms and permit requirement





#### Metal Detecting

- Old DEM regulations allowed metal detecting on coastal and inland beaches and campgrounds
- Draft regulation would have banned metal detecting on all properties – unless searching for lost personal property
- Final regulations preserve metal detecting on coastal and inland sandy beaches; limits it in other areas to finding lost personal property







#### Dog and Horse Access to Beach Areas

- DEM and MDC regulations did not have explicit provisions, but DCR had established policy
- Draft regulations prohibited pets/horses on coastal/inland beaches from <u>April 1 to</u> <u>September 30</u> (unless posted otherwise)
- Final regulations prohibit pets/horses on coastal/inland beaches from <u>May 1 to</u> <u>September 15</u> (unless posted otherwise)





#### Hunting Provisions

- Hunting ban at Dunn Pond State Park and Lake Wyola State Park removed (previously allowed under DEM regulations)
- Language added to allow DCR Commissioner to open areas for hunting that are currently closed (reflects current law and prior MDC regulations)
- Hunting limitations in the "inter-tidal zone" removed; restores MDC regulation and rights afforded in Colonial Ordinance of 1641-47







#### Hunting Provisions

- Old DEM provisions specific to Wompatuck
   State Park deleted where redundant with DFW rules and regulations
- Old DEM provisions placing additional obligations on hunters at Wompatuck not required at other DCR properties were removed
- Limit on number of hunting dogs removed
- Reference to compliance with MGL Ch. 130 added







#### Pets

- Maximum number of pets each person allowed to have increased from three to four
- Maximum number of pets allowed at campsites increased from three to four
- Provision included allowing use of electronic training collars in off-leash dog areas

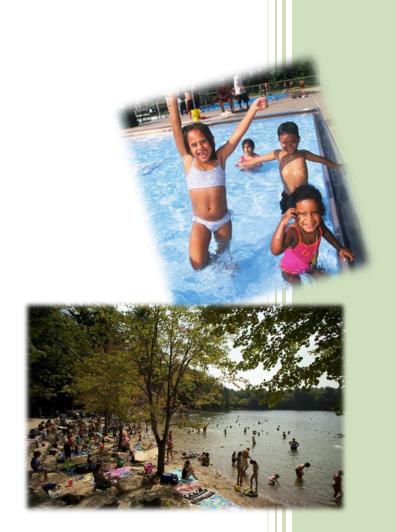






#### Pools & Waterfronts

- Minors aged 12 and under must be accompanied by parent or adult at pools
  - Previously, only applied to hours after 6:00 PM
- Smoking prohibited in designated swimming areas
  - Previously, only applied to department buildings and pools







#### Camping/Campground

- Explicit prohibition on generator use during quiet hours (10 PM – 7 AM) – except for operating a medical device
- Explicit requirement that all minors (under 18) be accompanied by adult
  - Previously allowed with parent/guardian written permission
- Prohibition on horses in campgrounds, unless designated
- Limits maximum of 4 pets per campsite







#### Pets, Horses, Animals

 Prohibition of pets/horses from entering sensitive beach habitats when posted and on beaches from May 1 to September 15 (NOTE: Ensures compliance with federal

and state endangered shorebird mandates)

- Limitation of 4 pets per person
- Requires all pets/animals be leashed, bridled, restrained, unless in an area designated/posted otherwise (largely a change for former DEM properties)





#### Permits

Establishment of a new annual
 Commercial Dog Walking Permit

#### Variances & Appeals

- Formalizes process to request variance from DCR rules/regulations
- Formalizes provisions for appealing Agency decisions







- Submit Final Regulations to Secretary of State for publication in *Mass Register* 
  - Upon publication, new regulations become effective
  - Anticipated publication date: October 24, 2014

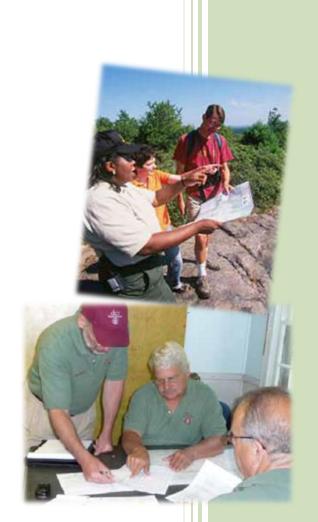






### Next Steps

- Public Notice, Communication, and Education
- Staff Communication and Training
- Develop plan to review and deploy new/ additional signage









department of

conservation recreation

Parks & Recreation Regulations

302 CMR 12.00





Thank you! & Questions?